

SERVICE DATE – LATE RELEASE JULY 5, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 659X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–IN ALLEGANY
COUNTY, MD

Decided: July 5, 2006

By decision served on December 14, 2005 (December 14 decision), WMS, LLC (WMS) was authorized to acquire and operate an 8.54-mile line of railroad on CSX Transportation, Inc.'s Southern Region, Huntington Division East, Georges Creek Subdivision, between milepost BAI 27.0 near Morrison and milepost BAI 18.46 at the end of the track near Carlos, in Allegany County, MD. In the December 14 decision, the notice of exemption, under 49 U.S.C. 10904 and 49 CFR 1152.27(f)(2), was dismissed effective on the date the sale is consummated.

On June 14, 2006, WMS filed a request to substitute for WMS its corporate affiliate James Riffin (Mr. Riffin) as the prospective purchaser of the line. On the same date, WMS and Mr. Riffin also filed a motion for protective order, pursuant to 49 CFR 1104.14, to allow WMS and Mr. Riffin to file under seal certain confidential documents and information in connection with this OFA proceeding. The decision granting the motion for protective order was served on June 27, 2006.

By motion filed on June 30, 2006, Allegany County, MD (the County) requests an extension of time, from July 5, 2006, to July 17, 2006, to file its reply to WMS's petition to substitute purchaser. The County indicates that it did not learn of the petition until the Board issued its decision granting the motion for protective order on June 27, 2006. The County states that it would be submitting the Undertaking required by that decision to counsel for WMS, but, due to previous commitments, will need more time to review the petition.

The County's request for an extension of time to file its reply is reasonable and will be granted. This extension should not unreasonably burden WMS or Mr. Riffin.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The due date for the County to file its reply is extended to July 17, 2006.
2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary